

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

ANITA TEKMEEN,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:18-cv-1304 (AJT/MSN)
)	
RELIANCE STANDARD LIFE)	
INSURANCE COMPANY,)	
)	
Defendant.)	
_____)	

ORDER

By Memorandum Decision and Order dated March 31, 2020 [Doc. 53] (the “Decision”), this Court, after conducting a *de novo* review of the administrative record, determined that Plaintiff Anita Tekmen had satisfied the definition of “Total Disability” under the relevant Employee Retirement Income Security Act of 1974 (“ERISA”) policy and is therefore entitled to receive certain previously-denied long term disability benefits. The Court did not enter judgment, however, but instead ordered the parties to submit, within twenty-one (21) days of the date of the Decision, “a statement regarding the proper amount of past and future benefits to be included in the judgment, including the amount of any prejudgment interest to be awarded (with an indication of the applicable rate and beginning date).” Decision at 20-21. The Decision also ordered that Plaintiff file any application for attorney’s fees and costs within twenty-one (21) days of the date of the Decision. *Id.* at 21.


On April 20, 2020, the parties, through their respective counsel, filed a Joint Stipulation [Doc. 54] wherein the parties agreed that (1) “the amount of long term disability benefits for the period November 30, 2015 through April 20, 2015 totals \$186,044.05[;]” (2) “[t]hat the life

premium waiver is reinstated[;]” and (3) “[t]hat the prejudgment interest rate to be applied is the Virginia statutory rate of 6%.” On the same day, Plaintiff, through counsel, submitted her Motion for Attorneys’ Fees and Costs [Doc. 55] wherein Plaintiff moved the Court, pursuant to 29 U.S.C. § 1132(g), to award attorneys’ fees and costs in the amount of \$64,960.00. On April 23, 2020, the parties, through their respective counsel, filed a separate Joint Stipulation [Doc. 58] wherein both agreed that Plaintiff shall recover \$50,000.00 *plus* \$400.00 in attorneys’ fees and costs provided the Decision is affirmed on appeal. The parties further agreed that “there is no obligation to pay for any attorney’s fees or costs until final resolution of this matter through a final, non-appealable order.” *Id.* at 1.

Accordingly, it appearing to the Court that the parties have agreed to the judgment amount to be entered, including the amount of any attorney’s fees and costs, it is hereby

ORDERED that the judgment be, and the same hereby is, entered in favor of Plaintiff Anita Tekmen and against Reliance Standard Life Insurance Company in the amount of \$186,044.05, with a reinstatement of Plaintiff’s life premium waiver, pre-judgment interest at a rate of 6%, and attorney’s fees and costs in the amount of \$50,400.00.

The Clerk is directed to forward a copy of this Order to all counsel of record and enter judgment pursuant to Federal Rule of Civil Procedure 58 in accordance with this Order.



Anthony J. Trenga
United States District Judge

Alexandria, Virginia
April 28, 2020